

Iran's assertion that its nuclear program is peaceful and is aimed at producing 6,000 megawatts of electricity is highly dubious given the efforts to conceal construction of the Nantanz and Arak facilities and its plentiful supplies of oil and gas reserves. In her testimony before the U.S.-Israel Joint Parliamentary Committee, Assistant Secretary of State for Verification and Compliance, Paula A. DeSutter agreed and stated: "Iran's attempts to explain why it needs an indigenous nuclear fuel cycle are simply not credible."

In fact, United Nations International Atomic Energy Agency (IAEA) inspectors have found traces of highly enriched, weapons grade uranium on Iranian nuclear equipment at two sites.

I am pleased that the IAEA Board of Governor's passed resolution last week setting a deadline of October 31 for Iran to come clean about its nuclear program. As IAEA spokeswoman Melissa Fleming stated:

What the IAEA inspectors need is accelerated cooperation, full transparency on the part of Iran, so that we can clear up these questions in a matter of weeks, and not months and months.

Talks have begun between the IAEA and Iranian authorities about Iran's nuclear program and the October 31 deadline. Our resolution supports the IAEA efforts to bring Iran into compliance with its international obligations. Among other things, it: deplores the Islamic Republic of Iran's development of a nuclear weapons program and for its failures to report material, facilities, and activities to the International Atomic Energy Agency as it is obligated to do pursuant to its safeguards agreement; concurs with the conclusion reached in the U.S. Department of State's Annual Noncompliance Report that Iran is pursuing a program to develop nuclear weapons; calls on the President of the United States to urge the Islamic Republic of Iran to accept in full the International Atomic Energy Agency's September 12, 2003 resolution; calls on member states of the United Nations to join the United States in preventing the Islamic Republic of Iran from continuing to pursue and develop programs or facilities that could be used in a nuclear weapons program; and calls on the United Nations Security Council to immediately undertake consideration of the threat to international peace and security posed by Iran's nuclear weapons program as well as such action as may be necessary, including a Security Council resolution, that would impose diplomatic and economic sanctions against Iran should Iran fail to live up to its obligations to the International Atomic Energy Agency by October 31, 2003.

In addition, its calls on the Government of Iran to: to come into verifiable compliance with its obligations under the September 12, 2003 resolution of the International Atomic Energy Agency; to come into verifiable compliance with its obligations under the Treaty

on the Non-Proliferation of Nuclear Weapons; and to immediately sign the Model Additional Protocol of the International Atomic Energy Agency, which would allow inspectors freer access to nuclear sites.

The international community must stand together to put pressure on Tehran to live up to its commitments and, in particular, sign the additional protocol to the Nuclear Non-proliferation Treaty to permit snap, short-notice inspections of Iran's declared and undeclared nuclear facilities.

I, for one, had been hopeful that Iran in recent years had begun to take the necessary steps to rejoin international community. The election of President Mohammad Khatami in May, 1997 appeared to be a vote for moderation and engagement with the outside world.

Yet, the clandestine nuclear weapons program, the continued support for terror, the numerous human rights abuses against religious minorities including Iranian Jews, the suppression of the student lead pro-democracy movement, and the continued uncompromising influence of the unelected hardliners in the Council of Guardians and the military lead me to conclude that we still have a long ways to go before we see a peaceful, stable, democratic Iran.

I firmly believe that the Iranian people desire to see their country break its ties with the past and commit itself to a future based on democracy, human rights, and the rule of law.

If they are to realize that dream, the United States must work closely with our friend and allies in the international community to put pressure on Iran to abandon its nuclear weapons program, cease its support for terror, and become a positive force for change in the Middle East. I urge my colleagues to support the resolution.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1838. Mr. REID (for himself, Mr. MCCAIN, Mrs. LINCOLN, and Mrs. MURRAY) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

SA 1839. Mr. ENSIGN proposed an amendment to the bill S. 1689, supra.

SA 1840. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1841. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1842. Mr. BINGAMAN (for himself and Mr. BYRD) proposed an amendment to the bill S. 1689, supra.

SA 1843. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1844. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1689, supra.

SA 1845. Mrs. BOXER (for herself, Mr. SCHUMER, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by

her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1846. Mr. BYRD (for himself, Mr. LEVIN, Mr. REED, Mr. CORZINE, Mr. LEAHY, Mr. DORGAN, Mrs. CLINTON, Ms. LANDRIEU, Mr. JEFFORDS, and Mr. LIEBERMAN) proposed an amendment to the bill S. 1689, supra.

SA 1847. Mr. FEINGOLD proposed an amendment to the bill S. 1689, supra.

SA 1848. Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mrs. CLINTON, Mrs. MURRAY, Mr. DURBIN, and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 1689, supra.

SA 1849. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1850. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1851. Mr. REID (for Mr. CORZINE) proposed an amendment to the bill S. 1689, supra.

SA 1852. Mr. FEINGOLD (for himself, Mr. WYDEN, Mr. DAYTON, and Mrs. MURRAY) proposed an amendment to the bill S. 1689, supra.

SA 1853. Mr. MCCAIN (for himself, Mr. BIDEN, and Mr. GRAHAM, of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1854. Mr. DASCHLE proposed an amendment to the bill S. 1689, supra.

SA 1855. Mr. HARKIN (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1856. Mr. WARNER (for himself, Mr. ALLEN, Mr. SARBANES, Ms. MIKULSKI, and Mrs. DOLE) submitted an amendment intended to be proposed by him to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1857. Ms. CANTWELL (for herself, Mr. BINGAMAN, Mr. LEAHY, Mr. JOHNSON, Mr. NELSON, of Florida, Mr. GRAHAM, of Florida, Mrs. MURRAY, Mr. KENNEDY, Mr. PRYOR, Mr. LAUTENBERG, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

SA 1858. Mr. NELSON, of Florida proposed an amendment to the bill S. 1689, supra.

SA 1859. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 1689, supra.

#### TEXT OF AMENDMENTS

**SA 1838.** Mr. REID (for himself, Mr. MCCAIN, Mrs. LINCOLN, and Mrs. MURRAY) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, add the following:

SEC. 316. (a) RESTORATION OF FULL RETIRED PAY BENEFITS.—Section 1414 of title 10, United States Code, is amended to read as follows:

**"§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation**

**"(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.**—Except as provided in subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans' disability compensation is entitled to

be paid both without regard to sections 5304 and 5305 of title 38.

“(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member retired under chapter 61 of this title with 20 years or more of service otherwise creditable under section 1405 of this title at the time of the member's retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the amount of the member's retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member's service in the uniformed services if the member had not been retired under chapter 61 of this title.

“(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member's retirement.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘retired pay’ includes retainer pay, emergency officers' retirement pay, and naval pension.

“(2) The term ‘veterans’ disability compensation’ has the meaning given the term ‘compensation’ in section 101(13) of title 38.”.

(b) REPEAL OF SPECIAL COMPENSATION PROGRAMS.—Sections 1413 and 1413a of such title are repealed.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the items relating to sections 1413, 1413a, and 1414 and inserting the following:

“1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans’ disability compensation.”.

(d) EFFECTIVE DATE; PROHIBITION ON RETROACTIVE BENEFITS.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

(2) RETROACTIVE BENEFITS.—No benefits may be paid to any person by reason of section 1414 of title 10, United States Code, as amended by subsection (a), for any period before the effective date under paragraph (1).

**SA 1839.** Mr. ENSIGN proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 20 and 21, insert the following new section:

SEC. 2313. (a) Not later than April 30, 2004, the Secretary of Defense shall submit a certification to Congress of the amount that Iraq will pay, or that will be paid on behalf of Iraq, during fiscal year 2004 to a foreign country to service a debt incurred by Iraq during the regime of Saddam Hussein, including any amount used for the payment of principal, interest, or fees associated with such debt. Such certification shall include—

(1) the actual amount spent for such purpose during the period from October 1, 2003 through March 31, 2004; and

(2) the estimated amount that the Secretary reasonably believes will be used for such purpose during the period from April 1, 2004 through September 30, 2004.

(b) On May 1, 2004, the Director of the Office of Management and Budget shall administratively reserve, out of the unobligated balance of the funds appropriated in this title under the subheading “IRAQ RELIEF AND

RECONSTRUCTION FUND” under the heading “OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT”, the amount that is equal to the sum of the amount certified under paragraph (1) of subsection (a) and the estimated amount certified under paragraph (2) of such subsection. The amount so reserved may not be obligated or expended on or after such date.

(c) The Director of the Office of Management and Budget shall impose such restrictions and conditions as the Director determines necessary to ensure that, in the apportionment of amounts appropriated as described in subsection (b), the balance of the total amount so appropriated that remains unobligated on May 1, 2004, exceeds the amount that is to be reserved under subsection (b).

(d) It is the sense of Congress that each country that is owed a debt by Iraq that was incurred during the regime of Saddam Hussein should forgive such debt, including any amount owed by Iraq for the principal, interest, and fees associated with such debt.

**SA 1840.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2313. (a) SENSE OF CONGRESS.—It is the sense of Congress that removing potential nuclear weapons materials from vulnerable sites around the world would reduce the chance that such materials would all into the hands of al Qaeda or other groups and states hostile to the United States, and therefore should be a top priority for achieving the national security of the United States.

(b) TASK FORCE ON NUCLEAR MATERIAL REMOVAL.—(1) There is established in the Department of Energy the Task Force on Nuclear Material Removal (in this section referred to as the “Task Force”).

(2)(A) At the head of the Task Force shall be the Director of the Task Force, who shall be appointed by the Secretary of Energy for that purpose.

(B) The Director of the Task Force shall report directly to the Administrator for Nuclear Security regarding the activities of the Task Force.

(3) The Secretary and the Administrator shall assign to the Task Force personnel having such experience and expertise as is necessary to permit the Task Force to carry out its mission under this section.

(4)(A) The Secretary of Energy and the Administrator shall jointly consult with the Secretary of State, the Secretary of Defense, the Chairman of the Nuclear Regulatory Commission, and the heads of other appropriate departments and agencies of the Federal Government to establish mechanisms that ensure that the Task Force is able to draw quickly on the capabilities of other departments and agencies to fulfill its mission.

(B) Mechanisms under subparagraph (A) may include the assignment of personnel from other departments and agencies of the Federal Government to the Task Force.

(c) MISSION.—The mission of the Task Force shall be to take actions to ensure that potential nuclear weapons materials are entirely removed from the most vulnerable sites around the world as soon as practicable after the date of the enactment of this Act.

(d) ASSISTANCE.—To assist the Task Force in carrying out its mission under this section, the Secretary of Energy may—

(1) provide such funds as are needed to remove potential nuclear weapons materials from vulnerable sites, including funds to cover the costs of—

(A) transporting such materials from such sites to secure facilities;

(B) providing interim security upgrades for such materials pending their removal;

(C) managing such materials after their arrival at secure facilities;

(D) purchasing such materials;

(E) converting such materials to use as low-enriched fuels, or to uses that no longer require nuclear materials;

(F) assisting in the closure and decommissioning of such sites; and

(G) providing incentives to facilitate the removal of such materials from vulnerable facilities;

(2) arrange for the shipment of potential nuclear weapons materials to the United States, or to other countries willing to accept them and able to provide high levels of security for them, in order to ensure that United States national security objectives are accomplished as quickly and effectively as possible; and

(3) provide funds to upgrade security and accounting at sites where, as determined by the Secretary, potential nuclear weapons materials will remain for an extended period in order to ensure that such materials are secure against plausible potential threats, and will remain so in the future.

(e) REPORT.—(1) Not later than 30 days after the submission to Congress of the budget of the President for fiscal year 2005 pursuant to section 1105(a) of title 31, United States Code, the Secretary of Energy shall submit to Congress a report that shall include—

(A) a list of the sites determined by the Task Force to be of the highest priorities for removal of potential nuclear weapons materials, based on the quantity and attractiveness of such materials at such sites and the risks of the theft or diversion of such materials for weapons purposes;

(B) a strategic plan, including measurable milestones and metrics, for accomplishing the mission of the Task Force under this section;

(C) an estimate of the annual financial requirements for implementing the plan;

(D) recommendations on whether any further legislative actions are needed to facilitate the accomplishment of the mission of the Task Force; and

(E) such other information on the status of activities under this section as the Secretary considers appropriate.

(2) The report shall be submitted in unclassified form, but may include a classified annex.

(f) FUNDING.—There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, for the National Nuclear Security Administration for “Defense Nuclear Nonproliferation”, \$40,000,000 to carry out this section.

(g) POTENTIAL NUCLEAR WEAPONS MATERIAL DEFINED.—In this section, the term “potential nuclear weapons material” means plutonium, highly enriched uranium, or other material capable of sustaining an explosive nuclear chain reaction, including irradiated materials if the radiation field from such materials is not sufficient to prevent the theft of such materials and their use for an explosive nuclear chain reaction.

**SA 1841.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending

September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 20 and 21, insert the following new section:

Sec. 2313. (a) Of the funds appropriated in title II under the subheading "IRAQ RELIEF AND RECONSTRUCTION FUND" under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT" and allocated for security, \$415,000,000 shall be made available to secure and eliminate munitions caches, small arms, light weapons, unexploded ordnance, and excess military equipment in Iraq.

(b) Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter until all funds made available under subsection (a) are expended, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report on the status and security of munitions caches, small arms, light weapons, unexploded ordnance, and excess military equipment in Iraq. Each such report shall include—

(1) a description of the quantity and type of such weapons and equipment collected, secured, and destroyed during the 6 months prior to the submission of such report;

(2) a description of the quantity and type of such weapons and equipment collected and secured for purposes other than destruction;

(3) a description of the quantity and type of such weapons and equipment that remain in Iraq;

(4) an estimate of the schedule under which such weapons and equipment will be secured or eliminated and the cost to complete such actions;

(5) an assessment of the threat posed by such weapons and equipment to United States or coalition military forces in Iraq.

(6) an estimate of the quantity and type of such weapons and equipment that have been acquired by members of al-Qaeda or other international terrorist organizations; and

(7) a detailed plan of actions to be carried out to locate, secure, and eliminate such weapons and equipment that remain in Iraq.

(c) The reports required by subsection (b) shall be submitted in a classified and an unclassified form.

**SA 1842.** Mr. BINGAMAN (for himself and Mr. BYRD) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, insert the following:  
SEC. 316. (a) FINDINGS.—Congress makes the following findings:

(1) The National Guard and Reserves have served the Nation in times of national crises for more than 200 years. The National Guard and Reserves are a critical component of homeland security and national defense.

(2) The current deployments of many members of the National Guard and Reserve have made them absent from their communities for an abnormally long time. This has diminished the ability of the National Guard to conduct its State missions.

(3) Many members of the National Guard and Reserves have been on active duty for more than a year, and many more have had their tours of active duty involuntarily extended while overseas.

(b) REPORT ON UTILIZATION OF NATIONAL GUARD AND RESERVES.—(1) Not later than 60 days after the date of the enactment of this

Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the utilization of the National Guard and Reserves in support of contingency operations during fiscal year 2004.

(2) The report under this subsection shall include the following:

(A) Information on each National Guard and Reserve unit currently deployed, including—

(i) the unit name or designation;

(ii) the number of personnel deployed;

(iii) the projected return date to home station; and

(iv) the schedule, if any, for the replacement of the unit with a Regular unit.

(B) Information on current operations tempo, including—

(i) the length of deployment of each National Guard and Reserve unit currently deployed, organized by unit and by State;

(ii) in the case of each National Guard and Reserve unit on active duty during the two-year period ending on the date of the report, the aggregate amount of time on active duty during such two-year period; and

(iii) the percentage of National Guard and Reserve forces in the total deployed force in each current domestic and overseas contingency operation.

(C) Information on current recruitment and retention of National Guard and Reserve personnel, including—

(i) any shortfalls in recruitment and retention;

(ii) any plans to address such shortfalls or otherwise to improve recruitment or retention; and

(iii) the effects on recruitment and retention over the long term of extended periods of activation of National Guard or Reserve personnel.

(3) The report under this subsection shall be organized in a format that permits a ready assessment of the deployment of the National Guard and Reserves by State, by various geographic regions of the United States, and by Armed Force.

(c) REPORT ON EFFECTS OF UTILIZATION OF NATIONAL GUARD AND RESERVES ON LAW ENFORCEMENT AND HOMELAND SECURITY.—(1) Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall, in consultation with the chief executive officers of the States, submit to Congress a report on the effects of the deployment of the National Guard and Reserves on law enforcement and homeland security in the United States.

(2) The report under this subsection shall include the following:

(A) The number of civilian first responders on active duty with the National Guard or Reserves who are currently deployed overseas.

(B) The number of first responder personnel of the National Guard or Reserves who are currently deployed overseas.

(C) An assessment by State of the ability of the States to respond to emergencies without currently deployed National Guard personnel.

**SA 1843.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 20, strike lines 9 through line 12, and insert the following:

(b) Section 1075(b) of title 10, United States Code, as added by subsection (a), shall take

effect as of September 11, 2001, and shall apply with respect to injuries or diseases incurred on or after that date.

(c) The amount appropriated by chapter 2 of title II under the heading "IRAQ RELIEF AND RECONSTRUCTION FUND" is hereby reduced by \$1,500,000, to be derived from the amount set aside under such heading for transportation and telecommunications for the Iraqi Postal Authority for the administration of a zip code system.

**SA 1844.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

#### SEC. . REPORT ON REPLACEMENT OF U.S. TROOPS.

(a) FINDINGS.—The Senate finds that—

(1) The Coalition Provisional Authority states that 80 percent of Iraq is a permissive environment with people returning to a normal pace of life, while 20 percent is less permissive with entrenched Saddam loyalists, international terrorists and general lawlessness hindering recovery efforts.

(2) On September 9, Deputy Secretary of Defense John Wolfowitz testified, "... the predominantly Shia south [of Iraq] has been stable and I would say far more stable than most pre-war predications would have given you. And the mixed Arab, Turkish, Kurdish north has also been remarkably stable, again, contrary to fears than many of us had that we might face large-scale ethnic conflict."

(3) On September 14, Secretary of State Colin Powell stated, "We see attacks against our coalition on a daily basis ... but in many parts of the country things are quite secure and stable."

(4) The Coalition Provisional Authority states that a major focus of its security efforts has been to increase Iraqi participation in and responsibility for a safe and secure Iraq.

(5) On September 14, Secretary of Defense Donald Rumsfeld stated, "90 percent of the people in Iraq are now living in an area that's governed by a city council, or a village council."

(6) The Coalition Provisional Authority reports that 60,000 Iraqis are now assisting in security, including 46,000 Iraqi police nationwide.

(7) Of the 160,000 coalition military personnel serving in Iraq, 20,000 are comprised of non-U.S. forces.

(b) REPORT.—Beginning 30 days after the enactment of this Act, the President or his designee shall submit a monthly report to Congress detailing—

(1) the areas of Iraq determined to be largely secure and stable; and

(2) the extent to which U.S. troops have been replaced by non-U.S. coalition forces, U.N. forces, or Iraqi forces in the areas determined to be largely secure and stable under this subsection.

**SA 1845.** Mrs. BOXER (for herself, Mr. SCHUMER, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 20 and 21, insert the following:

**TITLE III—HOMELAND SECURITY  
DEPARTMENT OF HOMELAND SECURITY  
SCIENCE AND TECHNOLOGY, RESEARCH,  
DEVELOPMENT, ACQUISITION AND OPERATIONS**

For necessary expenses for science and technology research, development, acquisition, and operations of the Department of Homeland Security, as authorized by sections 302, 307, and 308 of the Homeland Security Act of 2002 (6 U.S.C. 182, 187, 188), \$653,000,000, to remain available until expended to carry out the provisions of section 3001.

**(RESCISSION)**

The amount appropriated by chapter 2 of title II under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT" under the heading "IRAQ RELIEF AND RECONSTRUCTION FUND" is hereby reduced by \$653,000,000, with the amount of the reduction to be allocated so that—

(1) the amount available for security, national security, and justice is reduced by \$300,000,000, with the amount of reduction to be allocated to amounts available for the construction of two prisons;

(2) the amount available for public works is reduced by \$253,000,000, with the amount of the reduction to be allocated to amounts available for the procurement of 40 trash trucks; and

(3) the amount available for housing and construction is reduced by \$100,000,000, with the amount of the reduction to be allocated to amounts available for the construction of seven new housing communities.

**SEC. 3001. (a) INSTALLATION OF ANTI-MISSILE COUNTERMEASURE DEVICES IN COMMERCIAL AIRCRAFT.**—Of the amount appropriated by this title under the heading "DEPARTMENT OF HOMELAND SECURITY" under the heading "SCIENCE AND TECHNOLOGY, RESEARCH, DEVELOPMENT, ACQUISITION AND OPERATIONS", \$653,000,000 shall be available to the Secretary of Homeland Security for the purchase and installation of anti-missile countermeasure devices in not less than 300 commercial aircraft selected by the Secretary for purposes of this section.

**(b) SELECTION OF COMMERCIAL AIRCRAFT.**—In selecting commercial aircraft for purposes of this section, the Secretary shall give a priority to commercial aircraft in long-range international service that are enrolled in the Civil Reserve Air Fleet.

**(c) DEADLINES.**—(1) The Secretary shall award a contract for the purchase and installation of anti-missile countermeasure devices in commercial aircraft under this section not later than 90 days after the date of the enactment of this Act.

(2) The contract awarded under paragraph (1) shall provide for the completion of the purchase and installation of anti-missile countermeasure devices in commercial aircraft under this section not later than 28 months after the date of the enactment of this Act.

**(d) COORDINATION.**—The Secretary of Homeland Security shall carry out this section in coordination with the Secretary of Defense and the Secretary of Transportation.

**(e) ANTI-MISSILE COUNTERMEASURE DEVICE DEFINED.**—In this section, the term "anti-missile countermeasure device" means any electronic system, as identified by the Secretary of Homeland Security, that automatically—

(1) identifies the threat to an aircraft of an incoming missile or other ordnance;

(2) detects the source of the threat; and

(3) disrupts the guidance system of the missile or ordnance so as to divert the course

of the missile or ordnance and prevent its impact with the aircraft.

**SA 1846.** Mr. BYRD (for himself, Mr. LEVIN, Mr. REED, Mr. CORZINE, Mr. LEAHY, Mr. DORGAN, Mrs. CLINTON, Ms. LANDRIEU, Mr. JEFFORDS, and Mr. LIEBERMAN) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place insert the following:

**SEC. 2309. (a) REPORTS OF COALITION PROVISIONAL AUTHORITY.**—Not later than January 1, 2004, and every 90 days thereafter, the Administrator of the Coalition Provisional Authority (CPA) shall submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on all obligations, expenditures, and revenues associated with reconstruction, rehabilitation, and security activities in Iraq during the preceding 90 days, including the following:

(1) Obligations and expenditures of appropriated funds.

(2) A project-by-project and program-by-program accounting of the costs incurred to date for the reconstruction of Iraq, together with the estimate of the Authority of the costs to complete each project and each program.

(3) Revenues attributable to or consisting of funds provided by foreign nations or international organizations, and any obligations or expenditures of such revenues.

(4) Revenues attributable to or consisting of foreign assets seized or frozen, and any obligations or expenditures of such revenues.

(5) Operating expenses of the Authority and of any other agencies or entities receiving funds appropriated by title.

**(b) COMPTROLLER GENERAL AUDIT, INVESTIGATIONS, AND REPORTS.**—(1) The Comptroller General of the United States shall conduct an on-going audit of the Coalition Provisional Authority, and may conduct such additional investigations as the Comptroller General, in consultation with the Committees on Appropriations considers appropriate, to evaluate the reconstruction, rehabilitation, and security activities in Iraq.

(2) In conducting the audit and any investigations under paragraph (1), the Comptroller General shall have access to any information and records created or maintained by the Authority, or by any other entity receiving appropriated funds for reconstruction, rehabilitation, or security activities in Iraq, that the Comptroller General considers appropriate to conduct the audit or investigations.

(3) Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a report on the audit and any investigations conducted under paragraph (1). The report shall include information as follows:

(A) A detailed description of the organization and authorities of the Authority.

(B) A detailed description of the relationship between the Authority and other Federal agencies, including the Department of Defense, the Department of State, the Executive Office of the President, and the National Security Council.

(C) A detailed description of the extent of the use of private contractors to assist in Authority operations and to carry out reconstruction, rehabilitation, or security activities in Iraq, including an assessment of—

(i) the nature of the contract vehicles used to perform the work, including the extent of competition used in entering into the contracts and the amount of profit provided in the contracts;

(ii) the nature of the task orders or other work orders used to perform the work, including the extent to which performance-based, cost-based, and fixed-price task orders were used;

(iii) the reasonableness of the rates charged by such contractors, including an assessment of the impact on rates of a greater reliance on Iraqi labor or other possible sources of supply;

(iv) the extent to which such contractors performed work themselves and, to the extent that subcontractors were utilized, how such subcontractors were selected; and

(v) the extent to which the Authority or such contractors relied upon consultants to assist in projects or programs, the amount paid for such consulting services, and whether such consulting services were obtained pursuant to full and open competition.

**(D)** A detailed description of the measures adopted by the Authority and other Federal agencies to monitor and prevent waste, fraud, and abuse in the expenditure of appropriated funds in the carrying out of reconstruction, rehabilitation, and security activities in Iraq.

**(E)** A certification by the Comptroller General as to whether or not the Comptroller General had adequate access to relevant information to make informed judgments on the matters covered by the report.

**(4)** The Comptroller General shall from time to time submit to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives a supplemental report on the audit, and any further investigations, conducted under paragraph (1). Each such report shall include such updates of the previous reports under this subsection as the Comptroller General considers appropriate to keep Congress fully and currently apprised on the reconstruction, rehabilitation, and security activities in Iraq.

**SA 1847.** Mr. FEINGOLD proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 22, between lines 12 and 13, insert the following:

**SEC. 316. (a)** Of the amounts appropriated by chapter 1 of this title under the heading "OPERATION AND MAINTENANCE, ARMY" and available for the operating expenses of the Coalition Provisional Authority (CPA), \$10,000,000 shall be available for the establishment of the Office of the Inspector General of the Coalition Provisional Authority and for related operating expenses of the Office.

**(b)** The Office of the Inspector General of the Coalition Provisional Authority shall be established not later than 30 days after the date of the enactment of this Act.

**(c)(1)** The head of the Office of the Inspector General of the Coalition Provisional Authority shall be the Inspector General of the Coalition Provisional Authority.

**(2)** The Inspector General shall be appointed by the President in accordance with, and shall otherwise be subject to the provisions of, section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), except that the person nominated for appointment as Inspector General may assume the duties of the office on an acting basis pending the advice and consent of the Senate.

(3) The Inspector General shall have the duties, responsibilities, and authorities of inspectors general under the Inspector General Act of 1978. In carrying out such duties, responsibilities, and authorities, the Inspector General shall coordinate with, and receive the cooperation of, the Inspector General of the Department of Defense.

(d)(1) Except as provided in paragraph (2), not later than 75 days after the date of the enactment of this Act, and every 10 days thereafter, the Inspector General of the Coalition Provisional Authority shall submit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives a report that sets forth—

(A) an assessment of the financial controls of the Coalition Provisional Authority;

(B) a description of any financial irregularities that may have occurred in the activities of the Authority;

(C) a description of—

(i) any irregularities relating to the administration of laws providing for full and open competition in contracting (as defined in section 4(6) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(6))); and

(ii) any other irregularities related to procurement;

(D) a description of any actions taken by the Inspector General to improve such financial controls or address such financial irregularities;

(E) a description of the programmatic goals of the Coalition Provisional Authority; and

(F) an assessment of the performance of the Coalition Provisional Authority, including progress made by the Coalition Provisional Authority in facilitating a transition to levels of security, stability, and self-government in Iraq sufficient to make the presence of the Coalition Provisional Authority no longer necessary.

(2) The Inspector General of the Department of Defense shall prepare and submit the reports otherwise required to be submitted by the Inspector General of the Coalition Provisional Authority under paragraph (1) until the earlier of—

(A) the date that is 150 days after the date of the enactment of this Act; or

(B) the date on which a determination is made by the Inspector General of the Coalition Provisional Authority that the Office of the Inspector General of the Coalition Provisional Authority is capable of preparing timely, accurate, and complete reports in compliance with the requirements under paragraph (1).

(3) The reports under this subsection are in addition to the semiannual reports required of the Inspector General by section 5 of the Inspector General Act of 1978 and any other reports required of the Inspector General by law.

(4) The Inspector General of the Coalition Provisional Authority (or the Inspector General of the Department of Defense, as applicable) shall publish each report under this subsection on the Internet website of the Coalition Provisional Authority.

(e) The Office of the Inspector General of the Coalition Provisional Authority shall terminate on the first day that both of the following conditions have been met:

(1) the Coalition Provisional Authority has transferred responsibility for governing Iraq to an indigenous Iraqi government; and

(2) a United States mission to Iraq, under the direction and guidance of the Secretary of State, has undertaken to perform the responsibility for administering United States assistance efforts in Iraq.

**SA 1848.** Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mrs. CLINTON, Mrs.

MURRAY, Mr. DURBIN, and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

Strike section 2309 and insert the following:

**SEC. 2309. (a) LIMITATION ON AVAILABILITY OF FUNDS FOR RELIEF AND RECONSTRUCTION IN IRAQ PENDING DETERMINATIONS BY THE PRESIDENT.**—Notwithstanding any other provision of this Act, of the amount appropriated by this title under the heading “IRAQ RELIEF AND RECONSTRUCTION FUND”—

(1) \$6,770,000,000 shall be available 120 days after the date of the enactment of this Act, but only if the President determines under subsection (b)(1) that the objectives and associated deadlines referred to in that subsection have been substantially met; and

(2) \$6,770,000,000 shall be available 240 days after the date of the enactment of this Act, but only if the President determines under subsection (b)(2) that the objectives and associated deadlines referred to in that subsection have been substantially met.

(b) **DETERMINATIONS.**—(1) Not later than 120 days after the date of the enactment of this Act, the President shall determine whether or not the objectives, and associated deadlines, for relief and reconstruction efforts in Iraq, as specified in the report under subsection (c), have been substantially met.

(2) Not later than 240 days after the date of the enactment of this Act, the President shall determine whether or not the objectives, and associated deadlines, for relief and reconstruction efforts in Iraq, as specified in the most current report under subsection (d), have been substantially met.

(c) **INITIAL REPORT ON RELIEF AND RECONSTRUCTION.**—Not later than 60 days after the date of enactment of this Act, the President shall submit to Congress a report on the United States strategy for activities related to post-conflict security, humanitarian assistance, governance, and reconstruction to be undertaken as a result of Operation Iraqi Freedom. The report shall include information on the following:

(1) The distribution of duties and responsibilities regarding such activities among the agencies of the United States Government, including the Department of State, the United States Agency for International Development, and the Department of Defense.

(2) A plan describing the roles and responsibilities of foreign governments and international organizations, including the United Nations, in carrying out such activities.

(3) A strategy for coordinating such activities among the United States Government, foreign governments, and international organizations, including the United Nations.

(4) A strategy for distributing the responsibility for paying costs associated with reconstruction activities in Iraq among the United States Government, foreign governments, and international organizations, including the United Nations, and for actions to be taken by the President to secure increased international participation in peacekeeping and security efforts in Iraq.

(5) A comprehensive strategy for completing the reconstruction of Iraq, estimated timelines for the completion of significant reconstruction milestones, and estimates for Iraqi oil production.

(d) **SUBSEQUENT REPORTS ON RELIEF AND RECONSTRUCTION.**—(1) Not later than 60 days after the submittal of the report required by subsection (c), and every 60 days thereafter

until all funds provided by this title are expended, the President shall submit to Congress a report that includes information as follows:

(A) A list of all activities undertaken related to reconstruction in Iraq, and a corresponding list of the funds obligated in connection with such activities, during the preceding 60 days.

(B) A list of significant activities related to reconstruction in Iraq that the President anticipates initiating during the ensuing 60-day period, including—

(i) the estimated cost of carrying out the proposed activities; and

(ii) the source of the funds that will be used to pay such costs.

(C) Updated strategies, objectives, and timelines if significant changes are proposed regarding matters included in the report required under subsection (c), or in an previous report under this subsection.

(2) Each report under this subsection shall include information on the following:

(A) The expenditures for, and progress made toward, the restoration of basic services in Iraq such as water, electricity, sewer, oil infrastructure, a national police force, and Iraqi army, and judicial systems.

(B) The significant goals intended to be achieved by such expenditures.

(C) The progress made toward securing increased international participation in peacekeeping efforts and in the economic and political reconstruction of Iraq.

(D) The progress made toward securing Iraqi borders.

(E) The progress made toward securing self-government for the Iraqi people and the establishment of a democratically elected government.

(F) The progress made in securing and eliminating munitions caches, unexploded ordnance, and excess military equipment in Iraq.

(G) The measures taken to protect United States troops serving in Iraq, and an estimated schedule of United States troop strengths in Iraq for each ensuing 120-day period.

**SA 1849.** Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 2313. (a) LIMITATION ON AMOUNT OF FUTURE FUNDS AVAILABLE FOR IRAQ RECONSTRUCTION PROGRAMS.**—Notwithstanding any other provision of this Act or any other provision of law, the amount appropriated funds that may be obligated and expended for Iraq reconstruction programs may not exceed the current appropriated amount for Iraq reconstruction programs unless—

(1) the President certifies to Congress that the amount of appropriated funds to be so obligated and expended for Iraq reconstruction programs is equal to or exceeded by an amount of contributions from the international community for Iraq reconstruction programs; or

(2) the President—

(A) determines that, notwithstanding the lack of contributions by the international community for Iraq reconstruction program in an amount described in paragraph (1), the obligation and expenditure of appropriated funds for Iraq reconstruction programs in excess of the current appropriated amount for Iraq reconstruction programs is in the national security interests of the United States; and

(B) submits to Congress a written notification that determination, including a detailed justification for the determination.

(b) CONSTRUCTION WITH LATER ENACTED PROVISIONS OF LAW.—This section may not be superseded, modified, or repealed except pursuant to a provision of law that makes specific reference to this section.

(c) DEFINITIONS.—In this section:

(1) The term “current appropriated amount for Iraq reconstruction programs” means the aggregate amount appropriated or otherwise made available by this Act, and by any Act enacted before the date of the enactment of this Act, for Iraq reconstruction programs.

(2)(A) the term “Iraq reconstruction programs” means programs to address the infrastructure needs of Iraq, including infrastructure relating to electricity, oil production, public works, water resources, transportation and telecommunications, housing and construction, health care, and private sector development.

(B) The term does not include programs to fund military activities, (including the establishment of national security forces), public safety (including border enforcement, police, fire, and customs), and justice and civil society development.

**SA 1850.** Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 28, line 15, before the period, insert the following: “: *Provided further*, That each allocated amount under this subheading shall be reduced on a pro rata basis by \$2,000,000 (except that no reduction shall result with respect to any amount appropriated for Iraqi border enforcement and enhanced security communications and the amount appropriated for the establishment of an Iraqi national security force and Iraqi Defense Corps), and \$2,000,000 shall be made available to the General Accounting Office for an audit of all funds appropriated under this Act, including tracking the expenditure of appropriated funds, a comparison of the amounts appropriated under this Act to the amount actually expended, and a determination of whether the funds appropriated in this Act are expended as intended by Congress”.

**SA 1851.** Mr. REID (for Mr. CORZINE) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 21 and 22, insert the following new section:

**SEC. 3001.** Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter until December 31, 2007, the President shall submit to each Member of Congress a report on the projected total costs of United States operations in Iraq, including military operations and reconstruction efforts, through fiscal year 2008. The President shall include in each report after the initial report an explanation of any change in the total projected costs since the previous report.

**SA 1852.** Mr. FEINGOLD (for himself, Mr. WYDEN, Mr. DAYTON, and Mrs. MURRAY) proposed an amendment to

the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 20 and 21, insert the following new title:

#### TITLE III—LEAVE FOR MILITARY FAMILIES

##### SEC. 3001. SHORT TITLE.

This title may be cited as the “Military Families Leave Act of 2003”.

##### SEC. 3002. GENERAL REQUIREMENTS FOR LEAVE.

(a) ENTITLEMENT TO LEAVE.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

“(3) ENTITLEMENT TO LEAVE DUE TO FAMILY MEMBER’S ACTIVE DUTY.—

“(A) IN GENERAL.—Subject to section 103(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

“(i) on active duty in support of a contingency operation; or

“(ii) notified of an impending call or order to active duty in support of a contingency operation.

“(B) CONDITIONS AND TIME FOR TAKING LEAVE.—An eligible employee shall be entitled to take leave under subparagraph (A)—

“(i) while the employee’s spouse, son, daughter, or parent (referred to in the subparagraph as the ‘family member’) is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

“(ii) only for issues relating to or resulting from such family member’s—

“(I) service on active duty in support of a contingency operation; and

“(II) if a member of a reserve component of the Armed Forces—

“(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

“(bb) service on active duty in support of such operation.

“(4) LIMITATION.—No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.”.

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following: “Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.”.

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is amended by inserting “or subsection (a)(3)” after “subsection (a)(1)”.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

“(3) NOTICE FOR LEAVE DUE TO FAMILY MEMBER’S ACTIVE DUTY.—An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employer as is practicable.”.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

“(f) CERTIFICATION FOR LEAVE DUE TO FAMILY MEMBER’S ACTIVE DUTY.—An employer may require that a request for leave under section 102(a)(3) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.”.

##### SEC. 3003. LEAVE FOR CIVIL SERVICE EMPLOYEES.

(a) ENTITLEMENT TO LEAVE.—Section 6382(a) of title 5, United States Code, is amended by adding at the end the following:

“(3)(A) Subject to section 6383(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

“(i) on active duty in support of a contingency operation; or

“(ii) notified of an impending call or order to active duty in support of a contingency operation.

“(B) An eligible employee shall be entitled to take leave under subparagraph (A)—

“(i) while the employee’s spouse, son, daughter, or parent (referred to in the subparagraph as the ‘family member’) is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

“(ii) only for issues relating to or resulting from such family member’s—

“(I) service on active duty in support of a contingency operation; and

“(II) if a member of a reserve component of the Armed Forces—

“(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

“(bb) service on active duty in support of such operation.

“(4) No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.”.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the second sentence the following: “Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.”.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by inserting “or subsection (a)(3)” after “subsection (a)(1)”.

(d) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

“(3) An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employing agency as is practicable.”.

(e) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

“(f) An employing agency may require that a request for leave under section 6382(a)(3) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe.”.

**SA 1853.** Mr. MCCAIN (for himself, Mr. BIDEN, and Mr. GRAHAM of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, before the period on line 12, insert the following:

: *Provided further*, not less than \$4,000,000 shall be transferred to “Office of the Inspector General” for financial and performance audits of funds apportioned to the Department of Defense from the Iraq Relief and Reconstruction Fund”



On page 24, line 14, insert after “\$40,000,000” the following—

“of which not less than \$4,000,000 shall be transferred to and merged with “Operating Expenses of the United States Agency for International Development Office of Inspector General” for financial and performance audits of the Iraq Relief and Reconstruction Fund and other assistance to Iraq”

On page 38, after line 20, insert the following:

**“Sec. 2313. General Accounting Office review**

(a) The Comptroller General of the United States shall—

(1) review the effectiveness of relief and reconstruction activities conducted by the Coalition Provisional Authority (hereafter in this section “CPA”) from funds made available under the “Iraq relief and Reconstruction Fund” in this title, including by providing analyses of—

(A) the degree to which the CPA is meeting the relief and reconstruction goals and objectives in the major sectors funded under this title, and is enhancing indigenous capabilities;

(B) compliance by the CPA and the government departments with federal laws governing competition in contracting; and

(C) the degree to which the CPA is expending funds economically and efficiently, including through use of local contractors;

(2) report quarterly to the appropriate congressional committees on the results of the review conducted under paragraph (1).

(b) In this section, the term “appropriate congressional committees” means—

(1) the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate; and

(2) the Committees on Appropriations, Armed Services, and International relations of the House of Representatives.

**SA 1854.** Mr. DASCHLE proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 2313. (a) LIMITATION ON AMOUNT OF FUTURE FUNDS AVAILABLE FOR IRAQ RECONSTRUCTION PROGRAMS.—Notwithstanding any other provision of this Act or any other provision of law, the amount of appropriated funds that may be obligated and expended for Iraq reconstruction programs may not exceed the current appropriated amount for Iraq reconstruction programs unless—

(1) the President certifies to Congress that the amount of appropriated funds to be so obligated and expended for Iraq reconstruction programs is equal to or exceeded by an amount of contributions from the international community for Iraq reconstruction programs; or

(2) the President—

(A) determines that, notwithstanding the lack of contributions by the international community for Iraq reconstruction programs in an amount described in paragraph (1), the obligation and expenditure of appropriated funds for Iraq reconstruction programs in excess of the current appropriated amount for Iraq reconstruction programs is in the national security interests of the United States; and

(B) submits to Congress a written notification on that determination, including a detailed justification for the determination.

(b) CONSTITUTION WITH LATER ENACTED PROVISIONS OF LAW.—This section may not be superseded, modified, or repealed except pursuant to a provision of law that makes specific reference to this section.

(c) DEFINITIONS.—In this section:

(1) The term “current appropriated amount for Iraq reconstruction programs” means the aggregate amount appropriated or otherwise made available by this Act, and by any Act enacted before the date of the enactment of this Act, for Iraq reconstruction programs.

(2)(A) the term “Iraq reconstruction programs” means programs to address the infrastructure needs of Iraq, including infrastructure relating to electricity, oil production, public works, water resources, transportation and telecommunications, housing and construction, health care, and private sector development.

(B) The term does not include programs to fund military activities, (including the establishment of national security forces), public safety (including border enforcement, police, fire, and customs), and justice and civil society development.

**SA 1855.** Mr. HARKIN (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, between lines 2 and 3, insert the following:

SEC. 3002. (a) The Comptroller General shall conduct studies on the effectiveness and efficiency of the administration and performance of contracts in excess of \$40,000,000 that are performed or are to be performed in, or relating to, Iraq and are paid out of funds made available under this Act or the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11). The studies shall specifically examine the profits, administrative overhead, management fees, and related expenditures for the management of subcontracts (and further subcontracting) under any such contract. In conducting studies under this section, the Comptroller General shall have access to any information and records created or maintained by the United States, or by any entity receiving funds for contracts studied under this section that the Comptroller General considers appropriate.

(b) Not later than 6 months after the date of enactment of this Act and again 4 months thereafter, the Comptroller Government shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report that includes—

(1) an evaluation of the studies conducted under this section; and

(2) any recommendations for the improvement of the contracting process for contracts performed or to be performed in Iraq and for contracts generally, including the selection process, contract content, and oversight of the administration and performance of contracts.

**SA 1856.** Mr. WARNER (for himself, Mr. ALLEN, Mr. SARBANES, Ms. MIKULSKI, and Mrs. DOLE) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, between lines 2 and 3, insert the following:

SEC. 3002. Notwithstanding any other provision of law, the Federal share of the cost of

any disaster relief payment made under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for damage caused by Hurricane Isabel shall be 90 percent.

SEC. 3003. Of the funds appropriated by this Act, \$500,000,000 shall be available for repair or replacement of Department of Defense infrastructure damaged or destroyed by Hurricane Isabel, related flooding, or other related natural forces.

SEC. 3004. Of the funds appropriated by this Act, \$123,000,000 shall be available for repair and restoration of National Parks in areas designated as a disaster area pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for damage caused by Hurricane Isabel.

SEC. 3005. Of the funds appropriated by this Act, \$5,000,000 shall be available for repair and replacement of National Aeronautics and Space Administration infrastructure damaged or destroyed by Hurricane Isabel, related flooding, or other related natural forces.

**SA 1857.** Ms. CANTWELL (for herself, Mr. BINGAMAN, Mr. LEAHY, Mr. JOHN-SON, Mr. NELSON of Florida, Mr. GRAHAM of Florida, Mrs. MURRAY, Mr. KENNEDY, Mr. PRYOR, Mr. LAUTENBERG, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, between lines 12 and 13, insert the following:

SEC. 316. (a)(1) In the administration of laws and policies on the period for which members of reserve components of the Armed Forces called or ordered to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, are deployed outside the United States, the deployment shall be considered to have begun on the first day of the active-duty service to which called or ordered and shall be considered to have ended on the last day of the active-duty service to which called or ordered.

(2) Not later than 45 days before the effective date of a modification, supplementation, or superseding of a policy referred to in paragraph (1) that would extend the deployment of reserve component members, the Secretary of defense—

(A) shall transmit to Congress and the members of the reserve components a notification of the modified policy, supplemental policy, or superseding policy, as the case may be; and

(B) if the Secretary has received from a member of the reserve components a standing request to notify someone in the member's family or the member's employer (or both) of the new policy extending the member's deployment, shall transmit a notification of such policy to the requested recipient or recipients, as the case may be.

(b)(1) Before a member of a reserve component called or ordered to active duty as described in subsection (a)(1) is deployed outside the United States, the Secretary of defense shall inform such member of the date of expected return from overseas for the member.

(2) Not later than 45 days before a previously announced date of expected return from overseas service for a member referred to in paragraph (1) is postponed, the Secretary of Defense—

(A) shall transmit to Congress and that member a notification of the intent to postpone the member's return from overseas service; and

(B) if the Secretary has received from such member a standing request to notify someone in the member's family or the member's employer (or both) of any postponement of the member's employer (or both) of any postponement of the member's date of expected return from overseas service, shall transmit to the requested recipient or recipients, as the case may be, a notification of the intent to postpone the member's return from overseas service.

(c) The Secretary of defense shall prescribe in regulations a process for members of the reserve components of the Armed Forces to submit to the Secretary standing requests for notifications of family members or employers under subsections (a)(2)(B) and (b)(2)(B).

(d) The Secretary of Defense may waive the requirements of subsection (a) or (b) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

**SA 1858.** Mr. NELSON of Florida proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 2313. Of the amounts appropriated by chapter 2 of this title under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT" under the heading "IRAQ RELIEF AND RECONSTRUCTION FUND", other than amounts available under such heading for security (including public safety requirements, national security, and justice), \$10,000,000 shall be available only for the Family Readiness Program of the National Guard.

**SA 1859.** Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 20 and 21, insert the following new section:

SEC. 2313. (a) The President shall direct the head of the Coalition Provisional Authority in Iraq, in coordination with the Governing Council of Iraq or a successor governing authority in Iraq, to establish an Iraq Reconstruction Finance Authority. The purpose of the Iraq Reconstruction Finance Authority shall be to obtain financing for the reconstruction of the infrastructure in Iraq by collateralizing the revenue from future sales of oil extracted in Iraq. The Iraq Reconstruction Finance Authority shall obtain financing for the reconstruction of the infrastructure in Iraq through—

(1)(A) issuing securities or other financial instruments; or

(B) obtaining loans on the open market from private banks or international financial institutions; and

(2) to the maximum extent possible, securitizing or collateralizing such securities, instruments, or loans with the revenue from the future sales of oil extracted in Iraq.

(b) It is the policy of the United States that payment of the cost of reconstruction in Iraq, other than payment made with funds made available in this title under the sub-

heading "IRAQ RELIEF AND RECONSTRUCTION FUND" under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT" or made available by a foreign country or an appropriate international organization, should be the responsibility of the Iraq Reconstruction Finance Authority.

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON RULES AND ADMINISTRATION

Mr. LOTT. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9 a.m., Tuesday, October 28, 2003, in Room 301 Russell Senate Office Building to conduct a confirmation hearing on four Presidential nominees to the Election Assistance Commission.

The nominees are Paul S. DeGregorio (R) of Missouri (2 year term); Gracia M. Hillman (D) of the District of Columbia (2 year term); Deforest "Buster" Soaries (R) of New Jersey (4 year term); and Raymundo Martinez III (D) of Texas (4 year term).

For further information concerning this meeting, please contact Susan Wells at 202-224-6352.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 15, 2003, at 9:30 a.m., to conduct a markup of S. 811, the "American Dream Downpayment Act", of S. 300, the "Jackie Robinson Congressional Gold Medal bill." The committee will also vote on the nominations of Mr. Harvey S. Rosen, of New Jersey, and Ms. Kristin J. Forbes, of Massachusetts, to be members of the Council of Economic Advisors; Ms. Julie L. Myers, of Kansas, to be Assistant Secretary of Commerce for Export Enforcement; and Mr. Peter Lichtenbaum, of Virginia, to be Assistant Secretary of Commerce for Export Administration.

Following the votes, the Subcommittee on Securities and Investment will meet in open session to conduct a hearing on "The Future of the Securities Markets."

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, October 15, at 9:30 to conduct a business meeting to consider legislation S. 1643, S. 1066, S. 1663, and S. 1669, and the nomination of Michael O. Leavitt, to be Administrator of the U.S. Environmental Protection Agency.

The meeting will take place in SD 406, hearing room.

### COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, October 15, 2003, at 10 a.m., to hear testimony on "Company Owned Life Insurance."

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 15, 2003, at 2 p.m. to hold a hearing on The Middle East Road Map: Overcoming Obstacles to Peace.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON INDIAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, October 15, 2003, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a Hearing on S. 550, the American Indian Probate Reform Act of 2003.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a Judicial Nominations hearing on Wednesday, October 15, 2003, at 10:00 a.m. in the Dirksen Office Building room 226.

## Agenda

Panel I: Senators.

Panel II: D. Michael Fisher to be United States Circuit Judge for the Third Circuit.

Panel III: Dale S. Fisher to be United States District Judge for the Central District of California; Gary L. Sharpe to be United States District Judge for the Northern District of New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, October 15, 2003, at 2:00 p.m. on "Indecent Exposure: Oversight of DOJ's Efforts to Protect Pornography's Victims," in the Dirksen Senate Office Building room 226.

## Witness List

Panel 1: Mr. John Malcolm, Deputy Assistant Attorney General, Criminal Division, Department of Justice, Washington D.C.; Mr. J. Robert Flores, Administrator, Office of Juvenile Justice and Delinquency Prevention, Department of Justice, Washington D.C.; Mr. Lawrence E. Maxwell, Inspector in Charge, Fraud and Dangerous Mail Investigations, United States Postal Inspectors, Washington D.C.; Honorable Mary Beth Buchanan, U.S. Attorney